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December 12, 2008

EX PARTE – Via Electronic Filing

Ms. Marlene Dortch
Secretary
Federal Communications Commission
The Portals
445 12th Street, S.W.
Washington, DC 20554

Re: CC Docket Nos. 99-68 and 01-92

Dear Ms. Dortch:

On December 11, 2008, Charles McKee and Mike Fingerhut of Sprint Nextel Corporation, together with outside counsel Richard Metzger, Timothy Simeone and Joe Cavender, met with FCC General Counsel Matthew Berry, Acting Deputy Associate General Counsel Richard Welch, and Nick Bourne, also of OGC.

Participants at this meeting discussed sources of Commission authority to regulate ISP-bound traffic, and Sprint Nextel's representatives reiterated the company's position that the Commission has such authority under both §201 and §251(b)(5) of the Communications Act. Also discussed at the meeting was the Commission's November 5 *Order on Remand and Report and Order and Further Notice of Proposed Rulemaking* addressing ISP-bound traffic; ways that the Commission could potentially bolster its analysis of the jurisdictional issue in that order; and the litigation relating to the order pending before the D.C. Circuit.

In accordance with FCC rules, a copy of this letter is being filed in each of the above-captioned dockets.

Sincerely,

A handwritten signature in blue ink, appearing to read "TJ Simeone", is written over a horizontal line.

Timothy J. Simeone
Counsel to Sprint Nextel Corporation